

MINUTES OF THE
JOINT HEALTH AND HUMAN SERVICES APPROPRIATION SUBCOMMITTEE
Thursday, February 3, 2005, 2:00 p.m.
Room W135, West Office Building, State Capitol Complex

Members Present: Sen. Sheldon L. Killpack, Committee Co-Chair
Rep. Merlynn T. Newbold, Committee Co-Chair
Sen. Chris Buttars
Sen. Allen M. Christensen
Sen. Gene Davis
Rep. Bradley G. Last
Rep. David Litvack
Rep. Steven R. Mascaro
Rep. Roz McGee
Rep. Paul Ray
Rep. Aaron Tilton

Staff Present: Spencer C. Pratt, Legislative Fiscal Analyst
Thor Nilsen, Legislative Fiscal Analyst
Norda Shepard, Secretary

Public Speakers Present: Rep. Michael E. Noel
Tracy Johnson, New Frontiers
Glenna Boyce, Utah State University
Randy Soderquist, Project Manager, New Frontiers
David Gessell, Vice President, Utah Hospital Association
Patricia McKenna Clark, Executive Director, Utah March of Dimes
Ruddy Roca
Tina Johnson, Legislative Coalition for People with Disabilities
Nedra Taylor, Legislative Coalition for People with Disabilities
Romano Tuft
Patricia Harman
Gerald Bozeman, DDS
Sheila Walsh McDonald, Salt Lake Community Action Program
Jeff Fox, Salt Lake Community Action Program
Rickie Landers
Kay Fox, Salt Lake Community Action
Greg Olsen, DDS, Utah Oral Health Coalition
Dr. Nicolo Longo, Primary Children's Medical Center
Lori Cerrar, Allies for Families
Lori McGinnis
Joyce Dolcort, Director of Mental Affairs for ARC of Utah
Judy Evans, Utah Dental Hygienists Association
Barbara Toomer, Disabled Rights Action Committee
Jerry Costley, Disabled Rights Action Committee
Kenneth Wulle, Disabled Rights Action Committee
Doug Cotant
Hildegard Ahlstron
Darla Ball
Donna Donkin
Faina Raik
Judi Hillman, Health Policy Director, Utah Issues

Luz Robles, Policy Advocate, Utah Issues
Jessie M. Soriano, Utah Multi-cultural Health Network
Clive Watson, Executive Director, Utah Optometric Association
Brandon White
Marjorie Wilson
Dee Rowland, Catholic Dioceses of Utah
Diana Elliott
Jefferson Beatty
Heidi Hamilton
Ted Loosli, Chairman, Medical Care Advisory Committee
Stephen Unopulos
Craig Payne
Tamera Dalton
L:isa Nichols, Executive Director, Mid-town Community Health Center
Tom Browlee
Kathy Wharton
Dirk Anjewierden, Executive Director, Utah Health Care Association
Sylia Rickard
Fraser Nelson, Executive Director, Disability Law Center

A list of visitors and a copy of handouts are filed with the committee minutes.

The meeting was called to order by Co-Chair Newbold at 2:14 p.m.

Co-Chair Newbold welcomed everyone. She indicated that testimony concerning the Department of Health would be heard today, with individuals having 3 minutes and for groups and organizations would have 5 minutes. She stated many people were on the list who wish to speak and asked that speakers be respectful of one another so all would be able to give their comments. She said she would announce speakers one or two ahead so they could be prepared to come to the microphones. She asked each speaker to state their name and the organization they represent.

Rep. Michael Noel stated he was here to speak on behalf of New Frontiers. He indicated this has been a tremendous success in his area. He said this appropriation is needed this year. The New Frontiers Project Final Report was distributed. He said it makes good business sense to fund this program with \$250,000.

Tracy Johnson, New Frontiers, asked everyone from southern Utah who were parents of children affected by this program to stand. She introduced Glenna Boyce from Utah State University.

Glenna Boyce stated she works in the Early Intervention Research Institute at Utah State University. She indicated she has been project manager for the evaluation for the last six years. She said as a researcher she is often suspect about findings, but in this case they have interviewed parents, care givers, the youth themselves and clinicians every six months for three years. They have interviewed over 240 families. She indicated in all these interviews, they find the same findings, that youth and families are doing better. She said two major reason for the success of the program is well trained and supportive advocates and that the system makes the families and the agencies more accountable.

Randy Soderquist, Project Director for the Utah New Frontiers Project, stated that as an agency or clinician tries to establish a relationship with a family or individual in order to help them achieve their needs, there can be a feeling of inequality and a level of trust is not easily obtained. A family facilitator/advocate helps to level that playing field and helps to have the real needs and issues addressed.

David Gessell, Vice President, Utah Hospital and Health Systems Association, stated that the Medicaid program is a safety net and hospitals play a big part in that safety net. He said Medicaid funding for hospitals range from 10% to as much as 35% of the total budget. He said the Governor has recommended a 2% inflation adjustment for hospitals

which translates into about \$1.5 million of general fund money. He said it is less than generally asked for but more than has been received in the last couple of years. He said physicians reimbursement is also a critical need. He indicated committee members should feel free to approach him if they have questions or concerns about the hospitals.

Patricia McKenna-Cark, Executive Director, March of Dimes, distributed a letter. She said she is a Utah resident and a new mother and wished to ask for support in expanding the Newborn Screening Program in Utah. She indicated most states do newborn screening, but each state decides how many tests are screened. Utah currently only screens for four conditions and that is among the lowest of all the states. Some states screen for as high as 30. She said a lot of babies are being born with serious birth defects that are not being diagnosed and treated in time. She said the March of Dimes advocates that regardless of where a child is born, it should have equal access to all these screenings and asked for approval to increase funding for blood screening.

Ruddy Roca stated he was here to ask the committee to approve H.B. 32, Dental Services for Adults on Medicaid, and H.B. 31, Vision Care for Medicaid Recipient. He said he was very grateful to Rep. Mascaro for sponsoring these bills. He distributed and read Utah Poverty Partnership, Declaration of Duty to Our Neighbors

Tina Johnson, Legislative Coalition for People with Disabilities, distributed a fact sheet. She said she would like to address problems with access to health care. She said the disabled are having difficulty getting to see physicians, especially specialists. She indicated that some have to travel outside their own communities to gain access. If there was better access it would cut down on emergency room visits.

Nedra Taylor, Legislative Coalition for People with Disabilities, said she would also like to address the access issue. She stated she lives in the Logan area and they have a special problem there. She said many have to travel to Salt Lake, a hundred miles each way, and most don't have the money for this extra transportation. She said it is especially difficult to have access to dental treatment. Many will not accept Medicaid patients because they can't get adequate reimbursement. She said giving raises to providers now would prevent major care later.

Romano Tuft distributed a letter. She said she was in support of newborn screening. She told of having two children with congenital adrenal hyperplasia and had no idea that her child had this condition. She said this started a journey of illness, stress, missed work and great financial impact. Because they had not been diagnosed and were not getting the replacement therapy drug cortisone they desperately needed, their immune systems were very poor. It took a decade before they received proper treatment. She indicated that had they known of this condition at birth, their lives would have been so much better. She said this screening is available and as a mother and nurse, she strongly recommends that funding be made for the expanded newborn testing to give other children every chance at a healthy normal childhood.

Patricia Harman said she was here to ask for restoration of vision and dental care to Medicaid. She said we owe it to our poor to allow them to be pain free and to have every opportunity to better themselves. They cannot better themselves if they can't see or if they can't chew their food. She said preventative is much more applicable than the aftermath. She said we are paying for health care that could be prevented by a simple eye test or a trip to the dentist once a year.

Gerald Bozeman, said he represented the Utah Dental Association as well as the Utah Oral Health Coalition but he is primarily a practicing dentist. He thanked Rep. Mascaro for having the insight and taking the time to sponsor H.B. 32. He said it is very important to the dentists because of two things, the call for restoration of dental benefits and an increase of reimbursements rates to a level that is minimally acceptable. He said this would address a growing access crisis for dental care in the state. He indicated that most dentists are a small business and if you don't make a profit, you don't stay in business. He said the average overhead for a dental office is between 61% to 65% and Medicaid covers only 35%.

Sheila Walsh-McDonald said she is a health care advocate for the Salt Lake Community Action Program. She said the Salt Lake Community Action Program provides the Head Start program to over 2,000 four year olds in Salt Lake

and Tooele Counties. These families have an income at or below 100% of the federal poverty level. Most of these children come from families who are working, but some have disabled parents. She indicated her organization also provides direct services in the areas of emergency food assistance, rental assistance, energy assistance, and employment assistance to more than 20,000 households. She said studies show that most of the income from these low income families is spent on basic living expenses. There is a great need for the restoration of dental and vision because these families do not have the discretionary income to pay for these services.

Jeff Fox, Salt Lake Community Action Program, said that the choices the committee will be making in this legislative session will literally determine whether some folks live or die or live in incredible pain. He said he was speaking for the restoration of dental and vision. Evidence continues to show that people with periodontal disease have higher risks of many medical diseases, including spreading infections, heart disease, and stroke and also aggravating existing chronic medical conditions.

Ricki Landers distributed a letter. She said she was coming before the committee for the fourth year to plead for restoration of dental and vision coverage. She displayed the prescriptions she has had to take in the last year for pain and infections due to problems with her teeth. She says she continues to have infection. She said she already has a chronic progressive disability. She said elected officers are elected to serve the people and this includes the disabled and elderly who are asking for the restoration of dental and vision services to Medicaid.

Kay Fox, Salt Lake Community Action Program, said that for three years they have been working to get dental and vision services back for people with disabilities. She said they have tried every nice thing they could think about. She indicated that they are not going away and will be persistent. She said she is hoping this committee will do the right thing. She said they would help the committee with any assistance, supply any needed data. She said she no longer wants to receive numerous calls from people in pain. She reminded the committee that emergency costs are much more costly than prevention would be.

Greg Olsen, D.D.S., Utah Oral Health Coalition, stated that the past director of the Department of Health said it would be a hard sell to get more money for dentists to take care of the poorest people in our population. He said that was painful to hear so they are back to ask again. He said it has been estimated that dentists provide around \$36,000 a year, per dentist, in free dental care. He said we don't have an access problem, we don't have access. He indicated dentists have been left out of funding for too long.

Dr. Nicola Longo, Primary Children's Medical Center, asked for support for the increased fee for newborn screening. He stated he sees these children with metabolic disorders that are not identified. He says by the time he sees them they have already suffered irreversible damage. There is nothing that can be done to restore their functions. He said with a simple screening at birth these disorders can be identified and treated before they become sick. Costs of treating these children runs to thousands of dollars.

Lori Cerrar, Director from Allies for Families stated they work with families who have children with mental illness. She said because of Medicaid restructuring, some of these children are no longer receiving services. She said that Utah has the most and the youngest children per capita in the United States. She reported that the last appropriation for children's mental health was in 1998 and has been cut since then because of the budget cuts. She indicated the population needing these services has remained about stable.

Lori McGinnis, a youth mental health advocate, said access is the key to successful mental health treatment. She said there are thousands of young people who are not eligible for Medicaid and cannot afford the services they desperately need. She said it is much better if services can be received in mental health centers than waiting to be arrested and being forced into treatment.

Joyce Dolcort, Director of Mental Affairs for the ARC of Utah, said she wanted to speak about two Department of Health issues. She indicated the funding is needed to allow clients currently be served in intermediate care facilities for the mentally retarded to move to home and community based services. She said individuals have the right to be served in the least restrictive environment. Portability is the key element to accomplish this. She also asked for support for the fee increase for the newborn screen kit. She said these tests can identify an increased number of

debilitating conditions. Early diagnosis and treatment is important to prevent many conditions that, left untreated, can cause mental retardation and other developmental disabilities. The fee increase of \$30 at birth, a one time expense, is a small price to pay when you consider the ongoing cost of these life long conditions.

Judy Evans, Utah Dental Hygienists Association, said she came to support the reinstatement of dental and vision services for Medicaid clients. She said she has been a hygienist for 30 years. She said the primary role of dentistry is to prevent oral disease, which if left untreated, can lead to many systemic conditions. She said oral health protects total health. She said her association also supports the increase for providers.

Barbara Toomer from the Disabled Rights Action Committee distributed a letter. She said intervention is the key to good health. She indicated she contracted polio before the Salk vaccine was available so she knows first hand the importance of prevention. She also urged the restoration of dental and vision to Medicaid clients.

Jerry Costly, Disabled Rights Action Committee, said he would like to thank Rep. Marcaro for sponsoring the bills that will be the vehicle for restoring dental and vision services. He said the human costs of not having these services is very, very real. He said without dental coverage these people are in great pain and little by little lose the ability to eat properly. He drew attention to the distributed letter which outlined the benefits to Utah's economy from the Medicaid program.

Kenneth Wulle, Disabled Rights Committee, stated that the Legislature should be for the good of its citizens and people shouldn't have to come up and beg for what they need. He said he was lucky to have dental insurance but most of his friends do not. He stated that somehow, somewhere, people should be treated better than they are especially when they have to be on the verge of death with a bad tooth rather than spend \$50 to fill the tooth in the beginning.

Doug Cotant said he wanted to thank Governor Huntsman for recommending putting dental and vision into the Medicaid budget and also Rep. Mascaro for introducing H.B. 31 and H.B. 32. He said he supports this funding because if he needed new glasses, it would cost more than he could afford. Also, if he had his teeth cleaned and checked and needed a tooth repaired, this also would cost too much money.

Hildegard Ahlstrom stated that listening to all this testimony makes her cry. She said that the United States of America is the greatest nation in the world, but she feels Utah is falling behind in caring for poor people who cannot afford glasses and dental care. She indicated she lives in a high rise where a lot of elderly people live who need glasses and dental care but cannot afford to get these services.

Darla Bell distributed an invitation to Medicaid Day at the Utah Capitol Complex on Wednesday, February 16 from 1 to 4 p.m. She said she wanted to speak about bringing dental and vision care back to Medicaid. She said it costs much more to go to the emergency room than it would to bring back these services.

Donna Donkin indicated that she has dental problems. She said she was able to get upper dentures before Medicaid was cut. Since then she has had a tooth fall out on the bottom and another one that is ready to come out. She said she was asking for help to have these services restored. She said it is not fun to be in pain from tooth problems.

Faina Raik said she came representing people who live in subsidized apartments, a lot of them disabled, most over 62 and all of them on a fixed income. She said she was asking for support to restore the vision and dental programs. She stated she was talking from her soul and her heart for these people.

Judi Hillman, Health Policy Director, distributed a pamphlet entitled "Making Sense of Utah Medicaid," several Utah Issues Fact Sheets, and a letter from the United Way of Salt Lake. She said the Legislature needs to work to make sure that a reasonable part of the surplus funds is set aside for investments in cost effective services in Health and Human Services. She said now is the time to restore the Medicaid dental services and to raise the dental provider's rates as close as possible to the PEEP rates. It is also the time to fully restore the vision services.

Luz Robles, Policy Analyst, Utah Issues, stated she was here to ask support for S.B. 201, Center for Multi-cultural Health, sponsored by Sen. Butters. She distributed a Utah Issues Fact Sheet on Primary Care Grants. She said the Center has two very important responsibilities. The first is to work closely with all the health programs to help them reduce health disparities. The second is to become a bridge between the state and federal programs. She said the center is currently staffed by one coordinator and it is difficult for one person to do everything.

MOTION: Rep. Litvack moved to approve the minutes of 1-31-05. The motion passed unanimously with Sen. Davis and Rep. Ray absent at the time of the vote.

Jesse Soriano, Utah Multi-cultural Health Network Volunteer, said he also was speaking in support of S.B. 201 to increase the funding for the multi-cultural health center. He said he wanted to share his conviction as an individual that fundamental to any successful democracy is a healthy citizenry which enjoys a good quality of life. He said we as a society owe everyone of our citizens the opportunity of good health and good health care.

Clive Watson, Executive Director, Utah Optometric Association, indicated that in response to an article in their December mailing, they had over 700 calls from people in dire need of vision care. He indicated that vision care is essential for a decent life style and to obtaining employment. He said his association offered support for reinstatement of vision care.

Brandon White, an optometric physician from Sandy, stated that vision and eye care are very important. He said preventive eye care is more cost effective than long term care, especially in treating glaucoma. Glaucoma is the number two cause of vision disability and it can only be detected early through an eye exam. He indicated that if glaucoma is detected early and treated, people have a better than 90% chance of maintaining eyesight throughout their life. He distributed the Utah Optometric Association publication "Insight."

Marjorie Wilson stated she is a Medicaid recipient. She said she and her husband were disabled parents of two children, ages four and five, with a monthly income amounting to \$1000. She said these Medicaid services are very critical to her family. She said finding funds to pay for dental care is difficult. She said in December they had to use their entire savings to pay for a root canal and cap for her husband and she now has two cavities but cannot afford the payment to have them filled. She said if these services are funded again, she and her husband will be healthier and better able to care for their children.

Dee Rowland, said she was speaking on behalf of the Catholic Diocese of Salt Lake City. She thanked the committee for serving on this difficult committee. She said this service was an opportunity to improve the lives and relieve the suffering of a significant number of Utahns. She said that if people have access to health care, more citizens can hold down jobs and contribute to strengthen our economy. She said the Diocese supports the restoration of both vision and adult dental services, as well as early intervention. She also offered support for the Primary Care Grants and the Multi-cultural Center. She distributed a letter.

Dianna Elliott said she was surprised to see that only 30% of the budget is going to Health and Human Services and half is going to education. She said she knows education is important, but should we sacrifice people with disabilities and the elderly. She said churches, volunteers, and organizations are doing their part, so why can't the government do its part. She said we need to see that money is used wisely.

Jefferson Beatty indicated that he is a single father of a child who is mentally retarded. He said his son has been in an ICF/MR for nine years. He said he has been trying to bring him home for the last five years and would ask for restoration for the transition waiver funding. He said he feels as a parent that loves and cares for his child, he could give him better care.

Heidi Hamilton asked the committee to question themselves if they or their families had serious medical or mental problems and needed medications to be stable, would they like the cost of care and medications out of reach for you. She said that is why she is here today to ask the committee to please be mindful of the mentally ill, the aged and the low income populations when they are making decisions.

Ted Loosli, Chairman, Medical Care Advisory Committee, said their job is to help the Medicaid administration decide how to preserve the health of the population that is their charge by statute to care for. He said the task is a difficult one because there are many needs in the community. Budgets during the last three years have been extremely tight and cuts have been made but the needs didn't go away. He said the people who depend on Medicaid as their only source of health care have been suffering. He said if you have ever had a tooth ache you know how debilitating it can be. He said a crisis is brewing and the committee needs to use the powers they have been given to help.

Stephen Unopulus stated he was grateful for the services he has received. He indicated that he needed glasses in order to get a part time job and pay something back into the system. He said having a job helps build more self confidence. He said he would like to ask for vision funding to be restored. He thanked the committee for taking the time to listen.

Craig Payne distributed a letter. He gave a brief history of his work experience until he was struck with several severe mental disorders which forced him to rely on Social Security and Medicaid. He said since dental and vision program were terminated, he has lost two teeth and now has six that desperately need work. He said the only glasses he has are the reading glasses you can buy at drug stores. He asked for support of H.B. 31 and H.B. 32.

Tamera Dalton said she was advocating for vision and dental funding to be restored for people with disabilities. She distributed a handout containing her picture and e-mail address.

Lisa Nichols, Executive Director, Mid-Town Community Health Center, said she was testifying on behalf of Utah's community health centers and the 80,000 patients who are under insured or under served that these centers serve. She said she wanted to urge increased funding for the state Primary Care Grant. She indicated health centers provide a full range of services but have limited resources as well and need a substantial increase in funding.

Tom Brownlee distributed a letter and stated he was an advocate and speaker on disability issues throughout the state. He said he was here today to speak about vision and dental care. He indicated he had to replace his glasses, which cost more than \$250 out of his \$589 monthly Social Security check. He said he has not been to the dentist since 2002 because he does not have the money to pay for dental care.

Kathy Wharton displayed a picture of her special needs son. She said she wanted to thank the Legislature for giving her son the opportunity to move from a ICF/MR into a home and community based setting. She said for 19 years her family lived in a constant state of heightened alert because you could never anticipate what her son would do. Now her son is doing well and she asked for continued funding so other families can have this same opportunity.

Dirk Anjewierden, Executive Director, Utah Health Care Association, said he was here today because funding for inflation has not been adequate on a year to year basis, which resulted in a funding crisis. He asked for consideration for the long term care facilities in the state of Utah. He said they need an inflationary factor that will help prevent another crisis and allow them to care for the most vulnerable, frail, and elderly population we have in the state.

Sylvia Rickard said she hoped there would be continued funding for the breast and cervical cancer act. She said she would also ask for support for S.B. 201 for the multi-cultural center. She said it is important to have the center where people from various cultures can come and learn something that is vital to their health.

Frazer Nelson, Executive Director, Disability Law Center, thanked the members for serving on this committee. She said she would like to bring attention to portability. She said the law center was surprised to see the loss of the state's commitment to this program. She said she would like to remind the committee that this program grew out of a task force which included providers, consumers, the state and advocacy groups. She said providing services in the most integrated setting is a moral and legal obligation in our community. She urged the committee not to ignore this successful program and the impact it has on the lives of citizens who would rather live in a community setting or with their families.

Co-Chair Newbold thanked all who had participated.

MOTION: Rep. McGee moved to adjourn. The motion passed unanimously.

Co-Chair Newbold adjourned the meeting at 4:44 p.m.

Minutes reported by Norda Shepard, Secretary.

Sen. Sheldon L. Killpack
Committee Co-Chair

Rep. Merlynn T. Newbold
Committee Co-Chair